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To: Commissioner for Patents for Examiner William Boddie Group Art Unit 2629	Facsimile No. 571/273-8300
From: Louise Fay Paralegal to Duke W. Yee	No. of Pages Including Cover Sheet: 3
<p>Enclosed herewith:</p> <ul style="list-style-type: none">• Notice of Appeal (in duplicate)	
Re: Application Serial No. 10/612,655 Attorney Docket No. 10030189-1	
Date: Monday, July 31, 2006	
Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

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ATTORNEY DOCKET NO. 10030189-1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Marshall Thomas DePue et al.

Serial No.: 10/612,655

Examiner: William Bodde

Filing Date: July 2, 2003

Group Art Unit: 2629

Title: Fuel Cell Powered Optical Navigation Device

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

08/02/2006 BABRAHAI 00000027 503718 10612655
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NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, May 31, 2006 , rejecting the following claims : 1-20.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1580.00

The extension fee has already been filled in this application.

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-3718 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-3718 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit:

OR

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: July 31, 2006

Typed Name: Louise Fay

Signature:

Respectfully submitted,

Marshall Thomas DePue et al.

By

Theodore D. Fay, III
Attorney/Agent for Applicant(s)

Reg. No. 48504

Date: July 31, 2006

Telephone No. 972-385-8777